

State South Carolina

NONDISCRIMINATION

The South Carolina State Department of Social Services policy and procedures for compliance with the Civil Rights Act of 1964 is on file in the Regional Office. Reference pages 217-222, South Carolina Manual - Volume IV, Revised March 1970.

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SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202
(Medical Services Section)

METHODS OF ADMINISTRATION REGARDING COMPLIANCE WITH
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 FOR THE STATE OF SOUTH CAROLINA

I. Assignment of Responsibility

The person assigned the responsibility for determining compliance with Title VI of the Civil Rights Act is Roy T. Loyd, Civil Rights Coordinator, State Department of Social Services. We have also trained a number of State Office staff, for example, District Directors and Supervisors to review nursing homes, local Department of Social Services' offices, and physicians' offices. Forms have been devised for review purposes.

II. Dissemination of Information

All applicants for assistance or services from the Department are provided with a brochure describing the rights and responsibilities of the individual under Title VI. Numerous staff meetings and training sessions are held to describe the procedure used to advise the individual staff members of their responsibilities. Each voucher signed by a vendor carries the statement that he is in compliance with Title VI of the Civil Rights Act of 1964. All contracts with vendors include a signed assurance of compliance under Title VI.

In addition to providing each applicant/recipient with a copy of the brochure regarding Title VI, the provisions of the Civil Rights

Rec'd 12/26/73
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73-45
12/24/73
10/1/73

Act of 1964 are explained, at least two times annually, to recipients or potential recipients at each contact by agency personnel. There is also a statement on the Basic Information Form which the client signs at the time of application which calls to his attention the rights under Title VI of the Civil Rights Act of 1964. This statement is also included and called to the attention of the recipient at the time of each review. (Copies attached).

The general public is advised of Title VI provisions by various means. All printed brochures, etc., which outline the services of the agency include statements regarding Civil Rights. Each staff member who has any contact with the general public, and especially minority groups, has been instructed to place special emphasis on the provisions of Title VI.

III. Maintaining and Assuring Compliance

The Department has developed a form for use in reviewing nursing homes, hospitals, and doctors' offices. The Agency has developed a schedule whereby all vendors will be reviewed annually whenever possible. We also have provisions for reviewing the local County Departments to assure that they are in compliance. The local Social Services Agencies are reviewed at a scheduled rate of ten to twelve per quarter so that they may all be reviewed during the calendar year. (We have 46 counties in South Carolina). A list of physician vendors has been compiled by the State and in counties with twenty-five physicians or less, the

~~Index 12/26/73 73-45 dated 12/21/73
R.C. 7/19/74 46 10/1/73
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physicians are reviewed on an annual basis. In counties with twenty-five to one hundred physicians, they are reviewed bi-annually. Counties with more than one hundred physicians vendors should have at least 20% of these physicians reviewed on an annual basis. As stated above, all reviews are conducted by trained State staff using the format developed by the Title VI Coordinator and the Staff Development and Training Section.

Skilled and intermediate care nursing homes are required to submit Title VI compliance data to the State Civil Rights Coordinator, using the Department of Health, Education, and Welfare/Office for Civil Rights approved format. The completed nursing home compliance information is submitted to the Regional Office for Civil Rights on (at least) a quarterly basis for their comment and evaluation.

In addition, periodic on-site visits will be conducted at all skilled and intermediate nursing facilities. Copies of the completed review guides, like all other Title VI compliance information will be maintained in the State Civil Rights Coordinator's office. Such compliance information and reports will be reviewed by the State Civil Rights Coordinator as it is received. If this data reveals that additional information is needed, or if any vendor or local agency, has not fully complied under the Regulations, the State Civil Rights Coordinator will initiate appropriate requests for additional information or corrective action.

12/24/73
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73-45
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Since all Medicaid approved hospitals within the state also participate in the Medicare program, the state has agreed to rely upon the Regional Office for Civil Rights for compliance determination information. However, the state is expected to assume review responsibility for hospitals at a later date.

IV. Handling Complaints

Complaints may be filed with the Commissioner, State Department of Social Services, the Civil Rights Coordinator, the County Departments of Social Services, or the Office for Civil Rights, Atlanta, Georgia. Any complaint which is registered requires a visit from either the Civil Rights Coordinator or one of the trained State Consultants.

If complaints against vendors to Department of Social Services cannot be resolved through negotiation, vendor payments will be discontinued. Following this action, local Department of Social Services Agencies and other State Agencies will be notified that the vendor has failed to comply with the requirements of Title VI of the Civil Rights Act of 1964.

Complainants are encouraged to file written complaints within 180 days after any alleged act of discrimination based on race, color, or national origin. In accordance with state policy, the initial complaint investigation will be conducted within seven days after its receipt. Complainants will receive a written confirmation of the receipt of

Rec'd 10/26/73
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73-45
46 10/1/73
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their complaint and a report of the completed complaint investigation. Whenever possible, complaints will be resolved within 30 days after the initial complaint investigation.

Complaint files will be maintained in the State Civil Rights Coordinator's office for periodic review by Department of Health, Education, and Welfare/Office for Civil Rights representatives.

V. Recruitment and Training Programs

All recruitment, employment, training, and promotion of employees under our jurisdiction and/or control is without discrimination to race, religion, color, political affiliation, physical disability, age, national origin, or sex except where sex or age is a bonafide occupational qualification.

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